

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY

800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

January 5, 2004

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Monte Cahn and Daniel Clark
C.I. File No. 02-S-263; ELO No. 1781

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Monte Cahn and Daniel Clark. The claim is in the amount of \$1,268.00 including \$14.00 in disbursements for 11.40 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal investigation. No criminal charges were brought against the police officers on whose behalf this claim was filed.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.

2276

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 1, 2002

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
RECEIVED
CITY ATTORNEY
02 AUG - 5 PM 3:50

**RE: MPD Criminal Investigation of POs Monte Cahn and Daniel Clark
Allegations Regarding Mr. Robert Ragsdale
Date of Incident: November 3, 2001
Location of Incident: PPS
EC No.: 1781**

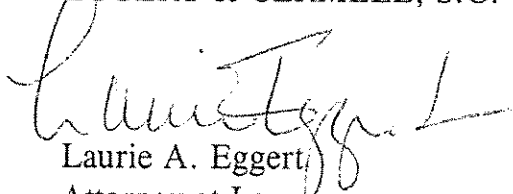
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved the arrest of a suspect. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/ldl
CAHN CLARK

115/04
FA
O.K.
JHS
Letter 2276

EGGERT & CERMELE, S.C.*Attorneys at Law*Laurie A. Eggert
Jonathan Cermele1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 1, 2002

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202RE: MPD Criminal Investigation re: Mr. Robert Ragsdale
Regarding: POs Monte Cahn and Daniel Clark
Date of Incident: November 3, 2001
Location of Incident: PPS

Professional services

	<u>Hours</u>
01/02/02 Telephone call from Cahn; memo to file; conference with client; telephone call to Det.; statements to IAD (PI-21); travel.	2.40
02/07/02 Telephone call from client; memo to file; review of file.	0.90
02/08/02 Review prior statement; conference with client; travel; statement to DA Reddin; memo to file.	3.30
02/20/02 Conference with Clark; attend Clark's PI-21 statement; travel; memo to file.	1.60
04/11/02 Review of file.	0.20
04/23/02 Telephone call from DA; telephone call to PO Clark; review of file; meeting with PO Clark at DA's office; attend PO Clark's statement to DA; travel; memo to file; close file.	1.80
04/26/02 Telephone call to DA; correspondence to MPD Open Records; correspondence to clients.	0.50

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
05/16/02 Conference with client; memo to file.	0.20	
06/28/02 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	11.40	\$1,254.00
Additional charges:		
02/08/02 Parking		4.00
04/23/02 Parking		3.00
06/28/02 MPD Open Records request		7.00
Total costs		<u>\$14.00</u>
Total amount of this bill		<u>\$1,268.00</u>
Balance due		<u><u>\$1,268.00</u></u>

(Rate: \$110.00 per hour)

CLEARANCE REPORT POLICE DEPARTMENT				PAGE 1 OF 2		INCIDENT # 01-317-3054											
INCIDENT INFORMATION		INCIDENT SUBSTANTIAL BATTERY SS# 940.19(2)			DATE OF INCIDENT 11-03-01		DATE OF REPORT 05-01-02		REP CON#								
		VICTIM RAGSDALE, ROBERT A.			LOCATION OF INCIDENT (ADDRESS) 749 WEST STATE STREET				DIST. 1								
		VICTIM'S ADDRESS 3866 NORTH 20 TH MILWAUKEE WI 53206			REPORTED BY SAME												
<small>PROPERTY CODES --- LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE #1" COLUMN---</small> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;">01-AIRCRAFT 09-CREDIT CARDS 15-HEAVY EQUIPMENT</div> <div style="width: 33%;">21-NEGOTIABLE INSTRUMENT 27-RECORD/AUDIO VISUAL 34-STRUCT-STORAGE</div> <div style="width: 33%;">02-ALCOHOL 10-DRUGS/NARCOTICS 16-HOUSEHOLD GOODS 22-NONNEGOT INSTRUMENT 29-STRUCT-SINGLE DWL 35-STRUCT-OTHER</div> <div style="width: 33%;">04-BICYCLES 11-DRUG/NARC EQUIP 17-JEWELRY/PREC METAL 23-OFFICE EQUIPMENT 30-STRUCT-OTHER DWL 36-TOOLS</div> <div style="width: 33%;">06-CLOTHES/FURS 12-FARM EQUIPMENT 18-LIVESTOCK 77-OTHER 31-STRUCT-OTHER COMM 38-VEH/PART/ACC</div> <div style="width: 33%;">07-COMPUTER WARES 13-FIREARMS 19-MERCHANDISE 25-PURSE/BAG/WALLET 32-STRUCT-INDUST MFG 39-WATERCRAFT</div> <div style="width: 33%;">08-CONSUMABLES 14-GAMBLING EQUIP 20-MONEY 26-RADIO/TV/VCR 33-STRUCT-PUBLIC 99-</div> </div>																	
QUANT		TYPE OF PROPERTY		DESCRIPTION		SERIAL #		INVENTORY #		CODE #		VALUE					
RELATED INCIDENT #'S				EVIDENCE INVENTORY #'S		ADDED PROPERTY ATTACHED PO-14		TOTAL VALUE RECOVERED PROPERTY \$									
<small>USE FOR WEAPONS IN POSSESSION OF PRISONER AT TIME OF ARREST -- CHECK ALL APPLICABLE ITEMS</small> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;">1 2 <input type="checkbox"/> ALTERED STOCK <input type="checkbox"/> CHROME/NICKEL <input type="checkbox"/> HANDGUN</div> <div style="width: 33%;">1 2 <input type="checkbox"/> AUTOMATIC <input type="checkbox"/> DOUBLE BBL <input type="checkbox"/> IMPLIED WEAPON <input type="checkbox"/> OTHER</div> <div style="width: 33%;">1 2 <input type="checkbox"/> BOLT ACTION <input type="checkbox"/> DRUG/NARCOTIC <input type="checkbox"/> KNIFE/CUTTING INSTR <input type="checkbox"/> OTHER FIREARM</div> <div style="width: 33%;">1 2 <input type="checkbox"/> BLUE STEEL <input type="checkbox"/> EXPLOSIVES <input type="checkbox"/> LIQUID GAS <input type="checkbox"/> PERSONAL WEAPON</div> <div style="width: 33%;">1 2 <input type="checkbox"/> BLUNT OBJECT <input type="checkbox"/> FIRE/INCENDIARY <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> POISON</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> PUMP ACTION <input type="checkbox"/> REVOLVER</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> RIFLE</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SAWED OFF</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SEMI AUTO</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SHORT/SNUB BBL</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SHOTGUN</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SIMULATED WEAPON</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SINGLE BBL</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> THROWN OBJECT</div> <div style="width: 33%;">1 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> UNKNOWN</div> </div>																	
ARRESTED #1 LAST NAME				FIRST NAME		MID		RACE		SEX		DATE OF BIRTH		AGE		ETHNIC ORIGIN <input type="radio"/> HISPANIC <input type="radio"/> NON-HISPANIC	
ADDRESS				CITY		STATE		HEIGHT		WEIGHT		BUILD		HAIR		EYES	
ALIAS				SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.													
I.D. DIV #				SOC. SEC. #				ADDED WEAPON INFO ARRESTED #1									
RESIDENT OF COUNTY		Y N <input type="radio"/> <input type="radio"/>		GANG RELATED Y N <input type="radio"/> <input type="radio"/>		DRUG RELATED Y N <input type="radio"/> <input type="radio"/>		LOCATION OF ARREST		DATE/TIME OF ARREST		TYPE OF ARREST		<input type="radio"/> ORDERED IN/CITED <input type="radio"/> W/WARR/SUSP CARD <input type="radio"/> ALL OTHER ARRESTS			
CHARGES												POSSESSED SUSPECTED DRUGS AT TIME OF ARREST Y N <input type="radio"/> <input type="radio"/>					
ARRESTED #2 LAST NAME				FIRST NAME		MID		RACE		SEX		DATE OF BIRTH		AGE		ETHNIC ORIGIN <input type="radio"/> HISPANIC <input type="radio"/> NON-HISPANIC	
ADDRESS				CITY		STATE		HEIGHT		WEIGHT		BUILD		HAIR		EYES	
ALIAS				SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.													
I.D. DIV #				SOC. SEC. #				ADDED WEAPON INFO ARRESTED #1									
RESIDENT OF COUNTY		Y N <input type="radio"/> <input type="radio"/>		GANG RELATED Y N <input type="radio"/> <input type="radio"/>		DRUG RELATED Y N <input type="radio"/> <input type="radio"/>		LOCATION OF ARREST		DATE/TIME OF ARREST		TYPE OF ARREST		<input type="radio"/> ORDERED IN/CITED <input type="radio"/> W/WARR/SUSP CARD <input type="radio"/> ALL OTHER ARRESTS			
CHARGES												POSSESSED SUSPECTED DRUGS AT TIME OF ARREST Y N <input type="radio"/> <input type="radio"/>					
VEHICLE USED		MAKE		MODEL		TYPE		COLOR		STATE		EXP		TYPE		V.I.N. #	
REPORTING OFFICER <i>Det Charles W. Shepard Jr.</i> DET. CHARLES SHEPARD JR. 50334				PAYROLL #		LOC #		ASSISTING OFFICER				SUPERVISOR <i>Det Raymond L. Richards</i> DET. 5544				TOTAL ARRESTS	

REPORT

INVESTIGATIVE NARRATIVE:

This report was dictated by Detective Charles SHEPARD, Jr., of the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), Day Shift.

On Monday, April 29, 2002, at 4:00 P.M., I, Detective SHEPARD, received a telephone call from Deputy District Attorney Jon REDDIN. At this time Deputy District Attorney REDDIN advised me that he would not be issuing charges against Police Officer Kerry WASHINGTON in regards to this matter. Deputy District Attorney REDDIN further indicated that Officer WASHINGTON did have a right to use force to restrain his prisoner, and does believe that Officer WASHINGTON may have gone a little too far during that time. However, Deputy District Attorney Jon REDDIN believes that Officer WASHINGTON's actions did not rise to the level of a crime. The criminal investigation into this matter is now closed.

CS:js

01-344 Clearance

REVIEWING D.A. DEPUTY DISTRICT ATTORNEY JON REDDIN		P.O./DET. ASSIGNED DETECTIVE CHARLES SHEPARD, JR.	COURT CASE NUMBER
FINAL CHARGE		DISPOSITION/DATE 04-29-02	VICTIM NOTIFIED BY
INCIDENT STATUS	<input type="radio"/> CLEARED BY ARREST 18 OR OVER <input type="radio"/> PARTIAL CLEARANCE BY ARREST <input type="radio"/> UNFOUNDED/BASELESS <input type="radio"/> NO PROSECUTION DESIRED	<input type="radio"/> PROPERTY RECOVERED <input type="radio"/> * WARRANT REFUSED	<input type="radio"/> ARREST UNDER 18 <input type="radio"/> A. Detained at MCCC <input type="radio"/> B. Ordered in to MCCC DATE: _____ <input type="radio"/> WAIVED AS AN ADULT
----- C.I.B. ADMINISTRATIVE USE ONLY -----			
CLEARED EXCEPTIONALLY	<input type="radio"/> A. Death of Offender <input type="radio"/> B. Prosecution Declined	<input type="radio"/> C. Extradition Denied <input type="radio"/> D. Refused to Cooperate	<input type="radio"/> E. Juvenile, no custody <input type="radio"/> F. Not Applicable
JUSTIFIABLE HOMICIDE INFORMATION	<input type="radio"/> A. SUSP ATTCKD PO AND SAME PO KILLED SUSP <input type="radio"/> B. SUSP ATTCKD PO AND OTHER PO KILLED SUSP <input type="radio"/> C. SUSP ATTCKD CIVILIAN <input type="radio"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME	<input type="radio"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="radio"/> F. SUSP RESISTED ARREST <input type="radio"/> G. UNABLE TO DETERMINE/NOT ENOUGH <input type="radio"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="radio"/> I. SUSPECT KILLED BY POLICE OFFICER	

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. MONTE CAHN
DISTRICT SIX

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on NOVEMBER 3, 2001
- 2) A citizen's complaint made by ROBERT RAGSDALE
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: Monte F. Cahn

Print your name: MONTE CAHN

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

St. Settingsgaard
KTS

STEVEN M. SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

RECEIVED
02 OCT - 1 PM 1:28
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. DANIEL CLARK
DISTRICT TWO

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on NOVEMBER 3, 2001
- 2) A citizen's complaint made by ROBERT RAGSDALE
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: *Daniel Clark*

Print your name: PO DANIEL CLARK

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

St. Settingsgaard
STEVEN M. SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

KJS

SMS:kjs

RECEIVED
02 SEP 30 PM 3:14
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION